

**MINUTES  
FREMONT CITY COUNCIL REGULAR MEETING  
JANUARY 27, 2009  
FREMONT CITY HALL  
7:00 P.M.**

**1. PRELIMINARY**

- 1.1 Call to Order:** Mayor Wasserman called the meeting to order.
- 1.2 Flag Salute:** Councilmember Harrison led the salute to the flag.
- 1.3 Roll Call:** Present: Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison, and Chan.
- 1.4 Announcements by Mayor/City Manager** – None.

**2. CONSENT CALENDAR**

- \* **2.1 Waive Reading of Ordinances:** The City Attorney read the titles of ordinances to be considered.

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council waived further readings of proposed ordinances.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

- \* **2.2 Approval of Minutes** – None.

- \* **2.3 Mayor Wasserman opened consideration of the Second Reading and Adoption of an Ordinance of the City of Fremont Amending Fremont Municipal Code Title V (Businesses, Professions and Trades) by Adding a New Chapter Pertaining to the Regulation of Places of Entertainment**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council adopted Ordinance No. 4-2009.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

**\* 2.4 Mayor Wasserman opened consideration of the Approval of Final Map for Tract 7965.**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council adopted Resolution No. 2009-7 approving the final map for Tract 7965.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

**\* 2.5 Mayor Wasserman opened consideration of the Approval and Execution of a Cooperative Agreement with Alameda County Water District for the Installation of Storm Drainage Facilities in Lieu of Relocating the Water Main for the Osgood Road Improvements – Washington Boulevard to Grimmer Boulevard, City Project 8173 (PWC)**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council authorized the City Manager or his designee to execute a cooperative agreement with Alameda County Water District for the installation of storm drain facilities in lieu of relocating the water main for the Osgood Road Improvement project between Washington Boulevard and Grimmer Boulevard, 8173(PWC) in the estimated amount of \$94,800.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

**\* 2.6 Mayor Wasserman opened consideration of the Approval of the Close Out of Completed Redevelopment Projects**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council approved the close out of the redevelopment projects identified on the report's Enclosure A and returned the remaining project appropriations to their respective funds.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

**\* 2.7 Mayor Wasserman opened consideration of the Initiation of a Proceeding to Consider a General Vacation to Abandon a Portion of California Street Located Between Beacon Avenue and Walnut Avenue in the Central Planning Area**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council adopted a motion initiating a general vacation proceeding pertaining to California Street and directed the Clerk to set and publicly notice a public hearing to be held on March 10, 2009.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

**\* 2.8 Mayor Wasserman opened consideration of the Authorization to Issue a Purchase Order to Shaw Industries, Inc. for Family Resource Center Carpet Replacement**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council authorized the City Manager or his designee to issue a purchase order to Shaw Industries for carpet replacement at the FRC totaling \$160,000, using the CMAS contract No. 4-08-72-0008B.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

**\* 2.9 Mayor Wasserman opened consideration of the Authorization for the City Manager to Execute a FY 2008/09 Renewal Agreement with Alameda County Health Care Services Agency to Support the Fremont Family Resource Center**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council authorized the City Manager or his designee to enter into an agreement with the Alameda County Health Care Services Agency in the amount of \$100,000 for the Fremont Family Resource Center.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

**\* 2.10 Mayor Wasserman opened consideration of the Approval of the Request from the Apparent Low-Bidder to Withdraw Their Bid, Waive Minor Bid Irregularities, Approve Plans and Specifications, and Award Contract for the Move and Renovation of Niles Passenger Depot Building (City Project No. PWC8614D)**

On a motion by Councilmember Wieckowski seconded by Councilmember Harrison, the City Council:

1. Consented to the apparent low-bidder's, Grand California Construction, request to withdraw its bid for Niles Town Plaza Passenger Depot Building construction contract.
2. Approved Plans and Specifications for the move and renovation of the Niles Town Plaza Passenger Depot Building (City Project No. PWC 8614D).
3. Waived the minor irregularity in the bid and awarded the contract for the construction of Niles Town Plaza Passenger Depot building move and renovation City Project No. PWC8614D to River View Construction in the amount of \$778,788.00 and authorized the City Manager, or his designee, to execute the contract.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None.  
Absent: None.  
Abstain: None.

**\* 2.11 Mayor Wasserman opened consideration of the Appropriation of \$355,000 of Integrated Waste Management Unallocated Fund Balance to Fully Fund Household Hazardous Waste Drop-Off Operations through June 2009**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council appropriated \$355,000 of the Integrated Waste Management Unallocated Fund balance (fund 115) for FY 2008/09 Household Hazardous Waste drop-off operations.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

**\* 2.12 Mayor Wasserman opened consideration of the Authorization to Issue a Purchase Order to Inside Source for the Purchase of Furniture to Outfit the Fire Department Administration/Training Center; Fire Station 11; Fire Tactical Training Center; and Police Department Indoor Gun Range**

On a motion by Councilmember Wieckowski, seconded by Councilmember Harrison, the City Council authorized the City Manager or designee to issue a purchase order to Inside Source for the purchase of furniture totaling \$444,587 using the Cabrillo Community College Contract, Bid No. 2007-03.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

### **3. CEREMONIAL ITEMS**

**3.1 Resolution: Recognizing Police Sergeant Tony Duckworth for 20 Years of Service**

**3.2 Resolution: Recognizing Police Lieutenant John Liu for 20 Years of Service**

### **4. PUBLIC COMMUNICATIONS**

**4.1 Oral and Written Communications – None.**

### **5. SCHEDULED ITEMS – None.**

### **6. REPORT FROM CITY ATTORNEY**

**6.1 Mayor Wasserman opened consideration of a Report Out from Closed Session of Any Final Action – None.**

### **7. OTHER BUSINESS**

**7.1 Mayor Wasserman opened consideration of the Adoption of City Legislative Policies and Funding Priorities for 2009**

Deputy City Manager Melissa Stevenson Dile provided a brief overview of the Legislative Policies and Funding Priorities for 2009. Staff responded to questions from Councilmembers. There were no speakers. Councilmembers provided comment.

On a motion by Councilmember Wieckowski, seconded by Vice Mayor Natarajan, the City Council adopted the 2009 Legislative Policies and Funding Priorities and authorized the Mayor to convey the Legislative Policies and Funding Priorities to Assemblymember Torrico and Senator Corbett.

Ayes:	Mayor Wasserman, Vice Mayor Natarajan, Councilmembers: Wieckowski, Harrison and Chan
Noes:	None
Absent:	None
Abstain:	None

**7.2 Mayor Wasserman opened consideration of the Presentation of CIP Progress, Capital Revenue Projections and Initial Project Prioritization, and Approve the Close Out of Completed Capital Projects**

City Engineer Norm Hughes provided a general presentation overview and the purpose and goals of the CIP process, including Council adopted CIP Prioritization Policy, CIP funding overview and 5 year projection of revenues and funds available. Mr. Hughes provided an overview of the proposed General Fund, Streets, and the Bike and Pedestrian projects. Staff

responded to questions from Councilmembers. Parks & Recreation Director Annabell Holland presented the proposed Park projects. City Engineer Hughes presented the RDA projects and the proposed Committed/Restricted Fund and Debt projects. In summary, Mr. Hughes reviewed the projects not proceeding in the FY 2009/10-13/14 CIP cycle and the tentative five year CIP update calendar and next steps, which included returning to Council on March 17 for Council to discuss prioritization of projects for the CIP. Another question and answer period followed. There were no speakers. Councilmembers provided comment.

On a motion by Vice Mayor Natarajan, seconded by Councilmember Chan, the City Council:

1. Provided comment on staff prioritization lists.
2. Approved the close out of the capital projects identified on the report's Enclosure C and, for all funds except funds 131, 142 and 531, and returned the remaining project appropriations to their respective funds. For Gas Tax funds 131, 142 and TIF fund 531, appropriated the remaining balance to PWC 8101 "CIP Contingency."
3. Approved the transfer of the remaining funds in 508PWC8603 to 508PWC8147.
4. Approved the transfer of the remaining funds in 531PWC8378 to 531PWC8661, and closed PWC8378
5. Defunded approximately \$780,000 from PWC 8078 to Fund 951 and returned the money to unallocated fund balance.
6. Defunded \$600,000 from PWC 8236 to Fund 531 and returned the money to unallocated fund balance.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan.  
Noes: None  
Absent: None  
Abstain: None

## **8. COUNCIL COMMUNICATIONS**

### **8.1 Council Referrals**

#### **8.1.1 Mayor Wasserman opened consideration of the Appointments to Outside Commissions, Committees and Boards**

By consensus, the City Council adopted Resolution No. 2009-8 designating Council assignments to outside committees, commissions, and boards. This resolution modifies and replaces the resolution adopted by the Council on February 13, 2007.

Ayes: Mayor Wasserman, Vice Mayor Natarajan,  
Councilmembers: Wieckowski, Harrison and Chan  
Noes: None  
Absent: None  
Abstain: None

## 8.2 Oral Reports on Meetings and Events

Councilmembers reported on their various meetings and activities.

9. **ADJOURNMENT:** There being no further business, Mayor Wasserman adjourned the meeting at 9:00 p.m.

Attest:

Approved:

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Dawn G. Abrahamson, City Clerk

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BOB WASSERMAN, Mayor